

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAR 02 1998  
 Returned to applicant for correction MAR 20 1998  
 Corrected application filed MAY 18 1998  
 Map filed MAY 18 1998 under 63881

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The applicant FIVE CREEK LIMITED LIABILITY COMPANY, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is BARBER CREEK
2. The amount of water applied for is 1.0 C.F.S. second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for IRRIGATION AND DOMESTIC
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated 40 ACRES
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 22 T.12N., R.19E. M.D.B.&M. or at a point which bears N. 25° 56' 42" W. 2256.26 ft. from the northwest corner of said Section 22.
6. Place of Use Portions of the: NW $\frac{1}{4}$ ; W $\frac{1}{2}$  NE $\frac{1}{4}$ ; E $\frac{1}{2}$  SW $\frac{1}{4}$ ; SW $\frac{1}{4}$  SW $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 15, T.12N., R.19E. M.D.B.&M.
7. Use will begin about Jan. 1 and end about Dec. 31 of each year.
8. Description of proposed works Diversion box and pipelines to place of use.
9. Estimated cost of works
10. Estimated time required to construct works 5 years
11. Estimated time required to complete the application of water to beneficial use 5 years
12. Remarks:

By s/James D. Haddan  
 JAMES D. HADDAN  
 933 Woodside Drive #202  
 Carson City, Nevada, 89701

Compared my/cms

Protested by John M. Colyer 8-31-98; Scossa Brothers Ranch 8-28-98; David H. Biggs 8-28-98; Robert D. Watrous 8-27-98; Donald L. & Toni M. Rooker 8-27-98; Dorothy N. Colley 8-27-98; Dennis R. Buckley 8-24-98; Theodore J. Weber 8-24-98

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DENIAL OF STATE ENGINEER

~~This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:~~

The protests are upheld in part and this application is hereby denied on the grounds that no water is available for appropriation and the approval of said application would conflict with existing water rights.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 14th day of May, A.D. 2006

Tracy T. Taylor, P.E.  
State Engineer